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9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 ASSURANCE WIRELESS USA, L.P.;
13 METROPCS CALIFORNIA, LLC; SPRINT
14 SPECTRUM LLC; T-MOBILE USA, INC.; and
T-MOBILE WEST LLC,

15 Plaintiffs,

16 v.

17 ALICE B. REYNOLDS, President of the
California Public Utilities Commission, in her
18 official capacity; KAREN DOUGLAS,
Commissioner of the California Public Utilities
19 Commission, in her official capacity; DARCIE
L. HOUCK, Commissioner of the California
20 Public Utilities Commission, in her official
capacity; JOHN REYNOLDS, Commissioner of
21 the California Public Utilities Commission, in his
official capacity; and GENEVIEVE SHIROMA,
22 Commissioner of the California Public Utilities
Commission, in her official capacity,

23 Defendants.
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Case No. 3:23-cv-00483

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' EMERGENCY MOTION
FOR A STAY PENDING APPEAL**

Date: _____, 2023

Time: _____

Courtroom: Courtroom B, 15th Floor

Complaint Filed: February 1, 2023

1 Upon consideration of Plaintiffs’ emergency motion for a stay pending appeal (the “Stay
2 Motion”) and the papers filed in support and in opposition, as well as the prior submissions in this
3 action, the Court finds that Plaintiffs have shown good cause for issuance of [a stay pending appeal
4 or an administrative stay pending the Ninth Circuit’s adjudication of a motion by Plaintiffs for a
5 stay pending appeal]. *See, e.g., Azurin v. Von Raab*, 792 F.2d 914, 915 (9th Cir. 1986); *Echevarria*
6 *v. Aerotek, Inc.*, 2019 WL 3207812, at *2 (N.D. Cal. July 16, 2019). Accordingly, the Court hereby
7 orders that:

- 8 1. Plaintiffs’ Stay Motion is **GRANTED**.
- 9 2. The connections-based rule adopted by the California Public Utilities Commission
10 in Decision 22-10-021, 2022 WL 16782574 (Cal. P.U.C. Oct. 20, 2022), is **STAYED** against
11 Plaintiffs [pending appeal or pending a decision by the Ninth Circuit Court of Appeals on a
12 forthcoming motion for stay pending appeal].

13 **IT IS SO ORDERED.**

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15 Dated: April __, 2023

16 LAUREL BEELER
17 United States Magistrate Judge
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